

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Klaus Sommermeyer

Application No.: 10/542,944

Group: 1623

Confirmation No.: 2584

Examiner: Everett White

U.S. National Stage of:

International Application No.: PCT/EP2004/000488

International Filing Date: January 22, 2004

For: CARBONIC ACID DIESTERS, METHODS FOR THE
PRODUCTION THEREOF AND METHODS FOR THE
PRODUCTION OF PHARMACEUTICAL ACTIVE
SUBSTANCES COUPLED TO FREE AMINO GROUPS WITH
POLYSACCHARIDE OR POLYSACCHARIDE DERIVATIVES

Date: March 3, 2009

EXPRESS MAIL LABEL NO. EV214932665US

PETITION UNDER 37 C.F.R. § 1.182
TO CORRECT THE DATE OF COMPLETION OF
THE 35 U.S.C. § 371 REQUIREMENTS

Mail Stop PCT
Office of PCT Legal Administration
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

1. Applicant hereby petitions the Commissioner for Patents to correct the "Date of Completion of receipt of 35 U.S.C. 371 (c)(1), (c)(2) and (c)(4) Requirements" included on the NOTICE OF ACCEPTANCE OF APPLICATION UNDER 35 U.S.C. 371 AND 37 CFR 1.495, which was mailed from the USPTO February 3, 2006 (the "NOTICE OF ACCEPTANCE").

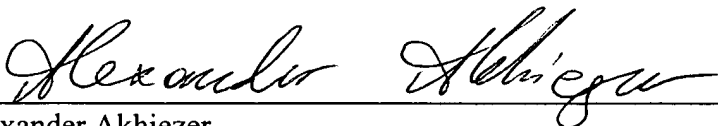
2. The NOTICE OF ACCEPTANCE states that the date of receipt of the 35 U.S.C. 371 (c)(1), (c)(2) and (c)(4) requirements is July 20, 2005. In particular, the NOTICE OF ACCEPTANCE states that the English translation of the International Application PCT/EP2004/000488, published in German as WO 2004/065425, on which the instant U.S. Application is a national stage, was received by the USPTO on July 20, 2005.
3. However, due to an inadvertent error, the German term "Kohlensäure", used in the International Application PCT/EP2004/000488 was incorrectly translated as "carboxylic acid" rather than "carbonic acid". Applicant submits herewith Exhibit A, a copy of pages 356 and 357 of Cassello's German-English Dictionary (MacMillan Publishing Company, New York, 1978). Exhibit A indicates, on page 356, that the correct translation of the German term "Kohlensäure" into English is "carbonic acid" (the entry is highlighted in yellow).
4. Because the English translation submitted by Applicant on July 20, 2005 was incorrect and, therefore incomplete, Applicant submits that the requirements of 35 U.S.C. 371 (c)(1), (c)(2) and (c)(4) were not met on July 20, 2005.
5. Applicant provides herewith a copy of the CORRECTED English translation of the International Application PCT/EP2004/000488. Also provided is a marked-up copy of the English translation, showing the differences between the presently submitted CORRECTED translation and the translation submitted on July 20, 2005.
6. Applicant petitions the Commissioner for Patents to correct the "Date of Completion of receipt of 35 U.S.C. 371 (c)(1), (c)(2) and (c)(4) Requirements" to the date on which the attached CORRECTED English translation of the International Application PCT/EP2004/000488 is received by the USPTO. In the event the instant Petition is granted, Applicant requests that a corrected NOTICE OF ACCEPTANCE be mailed.
7. Applicant further requests that, in the event the instant Petition is granted, pursuant to 37 C.F.R. §1.496, the present application be taken up for action based on the date on which the 35 U.S.C. §371 requirements are met. In particular, Applicant requests

that the present application be examined based on the CORRECTED English translation of the International Application PCT/EP2004/000488.

8. The Patent Office is invited to contact the undersigned if they feel that a telephone conference would expedite resolution of this matter. A check for the Petition fee under 1.17(f) in the amount of \$400.00 is enclosed. Please charge any deficiency or credit any overpayment in the fees that may be due in this matter to Deposit Account No. 08-0380.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By 

Alexander Akhiezer

Registration No. 54,617

Telephone: (978) 341-0036

Facsimile: (978) 341-0136

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Dated:



Cassell's

**German – English
English – German**
Dictionary

**Deutsch – Englisches
Englisch – Deutsches**
Wörterbuch

Completely revised by

HAROLD T. BETTERIDGE,
M.A. (Birm.), Ph.D. (Lond.)

Formerly Senior Lecturer in German in the University of Glasgow

MACMILLAN PUBLISHING COMPANY
New York

EXHIBIT

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